

Notice of Allowability

Application No.

09/942,810

Applicant(s)

PUGEL, MICHAEL ANTHONY

Examiner

Phuong Phu

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 11/3/05.
2. ☒ The allowed claim(s) is/are 1-6 and 8-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

1. This Office Action is responsive to the Amendment filed on 11/3/05.
2. Claims 1-6 and 8-29 are allowed.
3. The following is an examiner's statement of reasons for allowance:

-Regarding to independent claims 1, 16 and 25, none of prior art of record teaches or suggests a method and associated apparatus for processing a received analog signal having a plurality of carrier signals modulated thereon, as claimed. It would not have been obvious for one skilled in the art to combine Lindbergh et al (6,240,140) with Frenkel (5,838,268) for leading to the claimed method, based upon reasons set forth on pages 11-14 in REMARKS of the Amendment filed on 11/3/05. Further, even if Lindbergh et al and Frenkel is combinable, the combination of Lindbergh et al and Frenkel fails to teach procedures/devices of band-limiting a received analog signal having a plurality of carrier signals modulated thereon to obtain a band limited analog signal, and converting the band limited analog signal into a digital data stream representative of the plurality of carrier signals, in associations with other limitations as recited in the respective claims.

-Regarding to independent claim 24, none of prior art of record teaches or suggests a method for processing a received analog signal having a plurality of carrier signals modulated thereon, as claimed. Based on reasons set forth on pages 15-16 in the REMARKS, Frenkel in view of Nagano (5,808,463) fails to teach procedures of band limiting a received signal having a plurality of carrier signals modulated thereon to pass substantially those frequencies occupying a spectral transmission regions between a first frequency f_1 and a second frequency f_2 ; and converting, using an analog-to-digital converter having a sampling rate f_s , the band-limited

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signal to produce a digital signal therefrom, said sampling rate f_s being greater than f_2 , in associations with other limitations as recited in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong Phu whose telephone number is 571-272-3009. The examiner can normally be reached on M-F (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PHUONG PHU
PRIMARY EXAMINER

Phuong Phu

Phuong Phu
11/15/05

Phuong Phu
Primary Examiner
Art Unit 2631